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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,250	07/20/1999	RODNEY G. ADAMS	PR2667(26162	8977

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EXAMINER

MEKY, MOUSTAFA M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/357,250

Applicant(s)

ADAMS, RODNEY G.

Examiner

Moustafa M. Meky

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10,12-20 and 22-24 is/are rejected.
- 7) ☒ Claim(s) 3, 11, 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

1. The response filed 6/21/2005 has been entered and considered by the examiner.
2. Claims 1-24 are presenting for examination.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 4-10, 12-20, and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Sahai (US Pat. No. 6,594,699).

5. As to claim 1, Sahai shows in Fig 1, a method of presenting custom information to an HTTP client 12 from an HTTP server 10 (the internet 14 couples the client 12 and the server 10 i.e using HTTP protocol, see col 2, lines 446-50), see col 1, lines 6-15, lines 55-58, col 2, lines 16-28. The method comprising the steps of:

- creating a plurality of state objects (client's capabilities and user's preferences, see col 1, lines 55-58) at the HTTP client 12, see col 3, lines 64-67;
- storing the state objects on the client 12 prior to an initial interaction with the server 10, see col 3, lines 64-67;
- initiating an interaction between the client 12 and the server 10, see col 5, lines 2-4, col 6, lines 60-63;

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- requesting information from the server 10, see col 5, lines 2-4, col 6, lines 60-63;
- sending at least one of the state objects to the server 10 so that the information can be formatted responsive to the sent state object, see col 5, lines 21-39, col 6, lines 66-67, col 7, lines 1-3; and
- receiving the formatted information by the client 12, see col 5, lines 41-46, col 6, lines 12-23, lines 47-49.

6. As to claim 2, selecting one state object based on the information requested and prior to any interaction between the client 12 and the server 10, see col 3, lines 56-60, col 4, lines 25-27.

7. As to claim 4, the plurality of state objects include at least one attribute (user preference), see col 2, lines 61-62, col 5, lines 23-24.

8. As to claim 5, defining the attributes (user preferences) by the user, see col 8, lines 19-23.

9. As to claim 6, creating and defining new attributes by a user, col 8, lines 27-32.

10. As to claims 7-10, 12-20, 22-24, the claims are similar in scope to claims 1-2, 4-6, and they are rejected under the same rationale. In addition, even though Fig 1 shows only one server 10 for simplicity and the system inherently having more than one server to present custom data to a client and the servers inherently could be in a single and/or different domains (notice that the network 14 is the Internet).

Therefore, it can be seen from paragraphs 5-10 that Sahai anticipates claims 1-2, 4-10, 12-20, and 22-24.

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11. Claims 3, 11 & 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11.1. The prior art of record does not teach automatically creating a state object by the client based on previously requested information to be stored on the client.

12. The applicant argues the following:

1. Sahai does not teach creating a plurality of state objects at the HTTP client and the client capabilities of Sahai are not the same as the state objects in which the client capabilities discussed in Sahai do not include different attributes;

2. There is nothing in the passage that indicates that anything is stored on the client prior to an initial interaction.

In response to the above arguments:

- As to (1), the client capabilities of Sahai are state objects in which they include different attributes such as media formats which can be used for choosing and delivering the correct data format from the server to the client (see col 3, lines 57-60, col 4, lines 25-27) based on these attributes. Also, the applicant argues in his remarks that his state objects include different attributes such as name attribute, an expiration attribute (notice that these limitations are not in the claims language) i.e the applicant's state objects include different attributes which they are analogous to the client capabilities (state objects) of Sahai in which they include different attributes; and

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- The client's state objects are stored on the client prior to an initial interaction with the server i.e these state objects are stored on the client before interacting with a server. Also, these state objects could be updated regardless of the server i.e before interacting with a server, see col 3, lines 64-67, col 4, lines 1-3.

13. **HIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M Meky whose telephone number is 571-272-4005. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MMM  
9/4/2005

  
MOUSTAFA M. MEKY  
PRIMARY EXAMINER